

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE WAVE STUDIO, LLC, a New York  
Limited Liability Corporation,

Plaintiff,

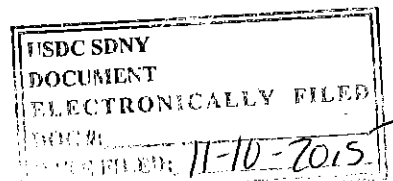
v.

BRITISH AIRWAYS PLC, a United Kingdom  
Corporation, HOTELS COMBINED LLC, an  
Australian Corporation, SWISS  
INTERNATIONAL AIR LINES LTD., a  
Switzerland Corporation d/b/a Swiss,  
TRAVIX TRAVEL USA INC., a Georgia  
Corporation, VISITUSA LLC, a Utah Limited  
Liability Company, and DOES 1-100,

Defendants.

**MEMO ENDORSED**

Civil Action No. 7:15-cv-07950-CS



**STIPULATION AND ~~PROPOSED~~ ORDER TO CONSOLIDATE CASES, TO STAY  
LITIGATION, AND TO EXTEND THE TIME TO RESPOND TO COMPLAINT**

Plaintiff The Wave Studio, LLC (“Wave”) and Defendants British Airways Plc, Swiss International Air Lines Ltd., and Travix Travel USA Inc. (collectively, the “Stipulating Defendants”), by and through their counsel of record, submit the following Stipulation and Proposed Order:

WHEREAS, on December 13, 2013, Wave filed a Complaint against General Hotel Management (“GHM”) and others in an action captioned *The Wave Studio, LLC v. General Hotel Management Ltd. et al.*, No. 7:13-cv-09239-CS-PED (the “GHM Action”), alleging that defendants infringed Wave’s copyrights in certain photographs;

WHEREAS, on July 2, 2014, upon agreement of Wave and defendant GHM, the Court stayed proceedings in the GHM Action as to all parties except Wave and GHM, *see* GHM Action, No. 7:13-cv-09239-CS-PED, Dkt. No. 67;

WHEREAS, on March 23, 2015, Wave filed a Complaint against Defendants in the United States District Court for the Northern District of California in Case No. 3:15-cv-01341 (the "California Action"), alleging Defendants had infringed some of the same copyrights to certain photographs as those at issue in the GHM Action;

WHEREAS, on October 7, 2015, pursuant to a stipulation between Wave and the Stipulating Defendants, the federal district court for the Northern District transferred the California Action to this Court;

WHEREAS, on October 8, 2015, this Court accepted this action as related to the GHM Action;

WHEREAS, the Stipulating Defendants currently have until November 9, 2015, to answer or otherwise respond to Wave's complaint;

WHEREAS, Wave and the Stipulating Defendants agree this action and the GHM Action should be consolidated; and

WHEREAS, Wave and the Stipulating Defendants agree to have the current stay in the GHM Action applied to this action under the same terms;

IT IS HEREBY STIPULATED AND AGREED, by and among Wave and the Stipulating Defendants in the above-captioned action, through their undersigned counsel, that:

1. This action, No. 7:15-cv-07950-CS, shall be consolidated with GHM Action, No. 7:13-cv-09239-CS-PED;
2. The consolidated action shall be stayed as to all Defendants except GHM; and
3. The Stipulating Defendants' deadline to respond to the Complaint is extended from November 9, 2015 to 21 days after the stay in the GHM Action is lifted.

Dated: November 6, 2015

Respectfully submitted,

/s/ Vijay K. Toke

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Attorneys for Defendant Travix Travel USA Inc.

So Ordered.

Cathy Seibel  
Cathy Seibel, U.S.D.J.

Dated: 11/9/15

*The Clerk shall terminate Doc. 84.*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2015, a copy of the foregoing STIPULATION AND ORDER TO CONSOLIDATE AND TO STAY has been filed electronically. Notice of this filing will be sent to the following parties by e-mail and operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

I hereby certify that on November 6, 2015, I caused a true and correct copy of the foregoing to be sent to the following parties by U.S. mail:

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/s/ Danielle Anne Phillip  
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